

BROWN & CONNERY LLP

ATTORNEYS AT LAW AND PROCTORS IN ADMIRALTY
360 HADDON AVENUE
P.O. BOX 539
WESTMONT, NEW JERSEY 08108

TELEPHONE: (856) 854-8900
FACSIMILE: (856) 858-4967
www.brownconnery.com

STEVEN G. WOLSCINA
PAUL MAINARDI
MICHAEL J. VASSALOTTI
WILLIAM M. TAMBUSSI
MARK P. ASSETTA
STEPHEN J. DeFEO
JOSEPH M. NARDI, III
CHRISTINE P. O'HEARN
JOSEPH T. CARNEY
KAREN A. MCCOY
SUSAN M. LEMING
SHAWN C. HUBER
MARK CAIRA
LOUIS R. LESSIG
JOSEPH M. GAREMORE

OF COUNSEL:

NATHAN A. FRIEDMAN
KATHIE L. RENNER
MICHAEL R. MIGNOGNA
JOSEPH G. ANTINORI
CARL J. GREGORIO
CHRISTOPHER J. TUCCI

WOODBURY, NJ 08096
(856) 812-8900

CAMDEN, NJ 08102
(856) 365-5100

PHILADELPHIA, PA 19102
(215) 592-4332

THOMAS F. CONNERY, JR. (1913-2004)
HORACE G. BROWN (1902-1990)
HOWARD G. KULP, JR. (1906-1987)

MICHELLE H. BADOLATO
COLLEEN P. BEZICH
WILLIAM F. COOK
MICHAEL J. DIPIERO
BRIAN P. FAULK
ABIGAIL M. GREEN
JENNIFER A. HARRIS
PATRICK J. HOLSTON
JEFFREY R. JOHNSON
DIANE S. KANE
JANINE M. LLOYD
DONALD K. LUDMAN
BETH L. MARLIN
ERIC D. MILAVSKY
MICHAEL J. MILES
PAMELA A. MULLIGAN
CHRISTOPHER A. ORLANDO
GINA M. ROSWELL
KENNETH J. SCHWEIKER, JR.
BLAIR C. TALTY
MICHAEL J. WATSON

* ALSO ADMITTED IN PENNSYLVANIA
* ALSO ADMITTED IN NEW YORK
* ALSO ADMITTED IN DELAWARE
* ALSO ADMITTED IN MARYLAND
* CERTIFIED BY THE SUPREME COURT OF NEW JERSEY AS CIVIL TRIAL ATTORNEY
* CERTIFIED BY THE SUPREME COURT OF NEW JERSEY AS WORKERS' COMPENSATION LAW ATTORNEY

NOVEMBER 29, 2010

Jeff S. Jordan
Supervisory Attorney
Complaints Examination & Legal Administration
Office of the General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, DC 20463

Re: MUR 6400

Dear Mr. Jordan:

This office represents Steve Ayscue ("Ayscue"), Matt White ("White"), and Bill Moen ("Moen") (collectively, "Individual Respondents") in connection with the above referenced complaint. (See Exhibit A, Statements of Designation of Counsel.) As you are aware, this office also represents the Camden County Democratic Committee ("CCDC") in connection with the above referenced Complaint, and has already filed a response to the Complaint on behalf of the CCDC on November 16, 2010. Please accept this letter as the Individual Respondents' response to the frivolous complaint filed against them by Complainant, James K. Webber, Chairman of the New Jersey Republican State Committee.¹

¹ This letter is offered solely for the purpose of assisting the FEC in attempting to resolve this matter. The Individual Respondents do not consent to the disclosure of this letter to the Complainant or any other person, or to the use of this letter in any future adjudicatory proceeding.

RECEIVED
FEDERAL ELECTION
COMMISSION
2010 DEC -8 AM 11:06
OFFICE OF GENERAL
COUNSEL

Hadden Capital Ventures LLC

BROWN & CONNERY
LLP

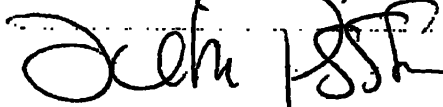
NOVEMBER 29, 2010
PAGE 2

As a preliminary matter, the Individual Respondents hereby join in the Response of the CCDC, and incorporate herein all arguments advanced by the CCDC in its November 16, 2010 Response. In addition to those arguments, Complainant's allegations against the Individual Respondents must fail as a matter of law because the alleged work performed by the Individual Respondents on behalf of Peter Destefano ("Destefano") does not qualify as a "contribution" under 2 U.S.C. § 431(8). That section provides, in relevant part, that the term "contribution" includes "any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office," or "the payment by any person of compensation for the personal services of another person which are rendered to a political committee without charge for any purpose." *Id.* Even assuming *arguendo* Complainant's allegations to be true, the benefits allegedly conferred by the Individual Respondents to Destefano were undisputedly done in exchange for compensation. According to Complainant's own allegations, Ayscue was paid by the campaign of John Adler for any services he allegedly rendered to Destefano. Likewise, according to Complainant's own allegations, White and Moen were paid by the CCDC for any services they allegedly provided to Destefano. Having been compensated for their services, none of the Individual Respondents can be deemed to have made any "contributions" to either Destefano or Adler.

For the reasons set forth above, the Individual Respondents respectfully submit that there is no "reason to believe" that any violation has been committed, and that this Complaint must be dismissed.

Very truly yours,

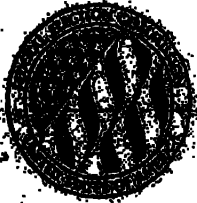
BROWN & CONNERY, LLP



William M. Tambussi

Enclosure

11044293971



FEDERAL ELECTION COMMISSION

999 E Street, NW
Washington, DC 20463

STATEMENT OF DESIGNATION OF COUNSEL

Please use one form for each Respondent/Entity/Treasurer
FAX (202) 219-3823

MUR# 6400

NAME OF COUNSEL: William M. Tambussi, Esquire

FIRM: BROWN & CONNERY, LLP

ADDRESS: 360 Haddon Avenue

Westmont, New Jersey 08108

TELEPHONE OFFICE (856) 854-8900

FAX: (856) 858-4967

The above-named individual and/or firm is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

Date

Respondent Agent Signature

Outreach Coordinator

Title (Treasurer/Candidate/Owner)

NAMED RESPONDENT: William J. Moen, Jr.

MAILING ADDRESS: 2240-15 Route 70 West, Garden State Pavilions
(Please Print)

Cherry Hill, New Jersey 08002

TELEPHONE- HOME ()

BUSINESS (856) 424-5757

Information is being sought as part of an investigation being conducted by the Federal Election Commission and the confidentiality provisions of 2 U.S.C. § 435g(a)(1)(2)(A) apply. This section prohibits making public any investigation conducted by the Federal Election Commission without the express written consent of the person under investigation.



FEDERAL ELECTION COMMISSION

999 E Street, NW
Washington, DC 20463

STATEMENT OF DESIGNATION OF COUNSEL

Please use one form for each Respondent/Entity/Treasurer

FAX (202) 219-3923

MUR # 6400

NAME OF COUNSEL: William M. Tambussi, Esquire

FIRM: BROWN & CONNERY, LLP

ADDRESS: 360 Haddon Avenue

Westmont, New Jersey 08108

TELEPHONE- OFFICE (856) 854-8900

FAX (856) 858-4967

The above-named individual and/or firm is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

11/12/10
Date

Matt White
Respondent/Agent -Signature

Political Director
Title (Treasurer/Candidate/Owner)

NAMED RESPONDENT: Matt White

MAILING ADDRESS: 2240-15 Route 70 West, Garden State Pavilions
(Please Print)

Cherry Hill, New Jersey 08002

TELEPHONE- HOME ()

BUSINESS (856) 424-5757

Information is being sought as part of an investigation being conducted by the Federal Election Commission and the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) apply. This section prohibits making public any investigation conducted by the Federal Election Commission without the express written consent of the person under investigation

Rev. 2006

11044203073



FEDERAL ELECTION COMMISSION

**999 E Street, NW
Washington, DC 20463**

STATEMENT OF DESIGNATION OF COUNSEL
Please use one form for each Respondent/Entity/Treasurer
FAX (202) 219-3923

MUR #6400

NAME OF COUNSEL: William M. Tambussi, Esquire

FIRM: BROWN & CONNERY, LLP

ADDRESS: 360 Haddon Avenue

Westmont, New Jersey 08108

TELEPHONE- OFFICE (856) 854-8900

FAX (856) 858-4967

The above-named individual and/or firm is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

11/12/10
Date

[Signature]
Respondent/Agent -Signature

Title (Treasurer/Candidate/Owner)

NAMED RESPONDENT: Stephen G. Ayscue (HaddenCapital Ventures LLC)

MAILING ADDRESS: 2240-15 Route 70 West, Garden State Pavilions
(Please Print)

Cherry Hill, New Jersey 08002

TELEPHONE- HOME ()

BUSINESS (856) 424-5757

Information is being sought as part of an investigation being conducted by the Federal Election Commission and the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) apply. This section prohibits making public any investigation conducted by the Federal Election Commission without the express written consent of the person under investigation